

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

NOTICE OF APPEAL, REQUEST FOR EXTENSION OF TIME, AND TRANSMITTAL OF RESPONSE		Docket Number 2345/110	
Application Number 09/462,337	Filing Date April 17, 2000	Examiner David S. Kim	Art Unit 2613
Title METHOD FOR TRANSMITTING SIGNALING AND CONTROL INFORMATION FOR WAVELENGTH- DIVISION MULTIPLEX NETWORKS FOR USE IN OPTICAL, FIBER-BOUND INFORMATION TRANSFER		Applicant(s) Klaus-Peter Zeffler et al.	

Address to:

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

I hereby certify that this correspondence is being electronically filed with the United States Patent and Trademark Office via EFS-Web submission with attention to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: September 10, 2008

Signature: /Linda Lecomte/
Linda Shudy Lecomte (Reg. No. 47,084)

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Office Action made final dated April 10, 2008 finally rejecting claims 14, 16 to 23, 27, and 28. Applicants believe that claims 14, 16 to 23, 27, and 28 should be allowed, and respectfully make this appeal of the Examiner's rejections of those claims.

In addition, Applicants are filing herewith a Response in the present application for consideration by the Patent Office.

This is also a Request under 37 C.F.R. § 1.136(a) to extend the three-month response date by two months.

The Commissioner is hereby authorized to charge the 37 C.F.R. § 1.191 Notice of Appeal fee, which is believed to be **\$500.00**, and the two-month 37 C.F.R. § 1.136 Extension fee, which is believed to be **\$450.00**, to the deposit account number **11-0600 of Kenyon & Kenyon**. The Commissioner is also authorized, as appropriate and/or necessary, to charge any additional fees, including any additional Rule 136(a) extension fees, or credit any excess fees to deposit account number **11-0600 of Kenyon & Kenyon**.

Dated: September 10, 2008

CUSTOMER NO. 26646

By: /Linda Lecomte/
Linda Shudy Lecomte (Reg. No. 47,084)
KENYON & KENYON LLP
One Broadway
New York, New York 10004
Tel. (212) 425-7200
Fax (212) 425-5288